

HOMESTEAD NATIONAL MONUMENT OF AMERICA
ADDITIONS ACT

DECEMBER 6, 2001.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 38]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 38) to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Homestead National Monument of America Additions Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term “map” means the map entitled “Proposed Boundary Adjustment, Homestead National Monument of America, Gage County, Nebraska”, numbered 368/80036 and dated March 2000.

(2) MONUMENT.—The term “Monument” means the Homestead National Monument of America, Nebraska.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3. ADDITIONS TO HOMESTEAD NATIONAL MONUMENT OF AMERICA.

(a) IN GENERAL.—The Secretary may acquire, by donation or by purchase with appropriated or donated funds, from willing sellers only, the privately-owned property described in paragraphs (1) and (2) of subsection (b). The Secretary may acquire, by donation only, the State-owned property described in paragraphs (3) and (4) of subsection (b).

(b) PARCELS.—The parcels referred to in subsection (a) are the following:

(1) GRAFF PROPERTY.—The parcel consisting of approximately 15.98 acres of privately-owned land, as depicted on the map.

(2) PIONEER ACRES GREEN.—The parcel consisting of approximately 3 acres of privately-owned land, as depicted on the map.

(3) SEGMENT OF STATE HIGHWAY 4.—The parcel consisting of approximately 5.6 acres of State-owned land including Nebraska State Highway 4, as depicted on the map.

(4) STATE TRIANGLE.—The parcel consisting of approximately 8.3 acres of State-owned land, as depicted on the map.

(c) BOUNDARY ADJUSTMENT.—Upon acquisition of a parcel described in subsection (b), the Secretary shall modify the boundary of the Monument to include the parcel. Any parcel included within the boundary shall be administered by the Secretary as part of the Monument.

(d) DEADLINE FOR ACQUISITION OF CERTAIN PROPERTY.—If the property described in subsection (b)(1) is not acquired by the Secretary from a willing seller within 5 years after the date of the enactment of this Act, the Secretary shall no longer be authorized to acquire such property pursuant to this Act and such property shall not become part of the Monument pursuant to this Act.

(e) AVAILABILITY OF MAP.—The map shall be on file in the appropriate offices of the National Park Service.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$400,000.

SEC. 4. COOPERATIVE AGREEMENTS.

The Secretary may enter into cooperative agreements with the State of Nebraska, Gage County, local units of government, private groups, and individuals for operation, maintenance, interpretation, recreation, and other purposes related to the proposed Homestead Heritage Highway to be located in the general vicinity of the Monument.

PURPOSE OF THE BILL

The purpose of H.R. 38 is to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Homestead National Monument of America, located in southeast Nebraska near the town of Beatrice, Nebraska, commemorates one of the first homesteads claimed following the passage of the 1862 Homestead Act. The National Monument includes a pioneer cabin, an old school house, nearly one hundred acres of restored tall grass prairie, and a visitor center.

The purchase of additional land would allow the National Park Service (NPS) to build a new Homestead Heritage Center, a 28,000 square-foot facility that would hold the monument's collections, interpretive exhibits, public research facilities and administrative offices. The new Homestead Heritage Center would be located outside the hundred year flood-plain and offer better protection to the 14,000 artifacts currently in storage due to lack of available space in the existing facilities. Funds to build the visitor center were appropriated in fiscal year 2001, but the NPS has been waiting to build the new center until land above the flood-plain has been acquired.

The NPS has arranged with the Nebraska Department of Roads to move State Highway 4 from the monument and create the Homestead Heritage Parkway. The Parkway would allow for educational displays of agricultural procedures, past and present, along the road. The parkway would also allow for a hike and bike path that would connect the park to Beatrice, four miles to the east.

COMMITTEE ACTION

H.R. 38 was introduced on January 3, 2001, by Congressman Doug Bereuter (R-NE) and was referred to the Committee on Resources. On February 15, 2001, the bill was referred to the Subcommittee on National Parks, Recreation, and Public Lands. On October 4, 2001, the Subcommittee held a hearing on the bill. On November 15, 2001, the Subcommittee met to mark up the bill. Congressman George Radanovich (R-CA) offered an amendment making technical changes to the boundary description increasing the acreage from 1.4 acres to approximately 5.6 acres. It was adopted by voice vote. The bill, as amended, was then forwarded to the Full Committee by unanimous consent. On November 28, 2001, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was then ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. *Cost of Legislation.*—Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. *Congressional Budget Act.*—As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. *General Performance Goals and Objectives.*—As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska.

4. *Congressional Budget Office Cost Estimate.*—Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 4, 2001.

Hon. JAMES V. HANSEN,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 38, the Homestead National Monument of America Additions Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 38—Homestead National Monument of America Additions Act

H.R. 38 would authorize the Secretary of the Interior to acquire four parcels of land totaling almost 33 acres in Nebraska. The land would be added to the Homestead National Monument of America in Gage County, Nebraska. The bill would allow the Secretary to acquire approximately 19 acres of privately owned land by donation or purchase. The Secretary would be permitted to acquire approximately 14 acres of state-owned property by donation only. Finally, section 3 would authorize the appropriation of \$400,000 to implement the legislation.

CBO estimates that implementing H.R. 38 would have no significant impact on the federal budget. The \$400,000 needed to purchase the two parcels of privately owned land for the monument was already appropriated for fiscal year 2001, and we estimate that annual costs to manage these parcels (and any property donated by the state) would not be significant. The bill would not affect direct spending; therefore, pay-as-you-go procedures would not apply.

H.R. 38 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. Any actions taken by the state of Nebraska or local governments in the state as a result of this legislation, including donating land for the monument, would be voluntary.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.